

REMARKS

In response to the Office Action mailed October 14, 2008, Applicants respectfully request reconsideration. Claims 7 and 11-31 were previously pending in this application. By this amendment, claims 7, 19 and 14 have been amended. As a result, claims 7 and 11-31 are pending for examination with claims 7, 19, and 24 being independent. No new matter has been added.

Rejections Under 35 U.S.C. §103

The Office Action rejected claims 7-31 under 35 U.S.C. §103(a) as allegedly being unpatentable over Terzis, (U.S. Patent Publication No. 2004/0243835) in view of Lambert (U.S. Patent Publication No. 2002/0099952). Applicants respectfully disagree.

Each of independent claims 7, 19 and 24 have been amended to recite, inter alia, that, *when an application is initiated and binds a socket to a local port, at least the local port from the socket is stored, and, when parameters of the application match a condition in an application rule of the policy object model, at least one template is instantiated using at least the stored local port to create at least one policy for the application* (emphasis added). The cited references do not teach or suggest the above limitation. Support for this amendment can be found, for example, on pages 73 and 74 of Exhibit C of Applicants' specification. On page 74 of Exhibit C, it is stated that "[w]hen client instantiation takes place, the full 5-tuple is available to instantiate the template. On the other hand, if it is not a client instantiation, only local 3-tuple, i.e. local address, protocol, and local port, available."

In view of the above, claims 7, 19 and 24 patentably distinguish over Terzis and Lambert, either alone or in combination.

Claims 11-18 depend from claim 7 and are allowable for at least the same reasons.

Claims 20-23 depend from claim 19 and are allowable for at least the same reasons.

Claims 25-31 depend from claim 24 and are allowable for at least the same reasons.

Therefore withdrawal of the rejection of claims 7 and 11-18 is respectfully requested.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825, under Atty. Docket No. M1103.70168US00.

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Respectfully submitted,

By: 

James H. Morris, Reg. No. 34,681
Woff, Greenfield & Sacks, P.C.
Federal Reserve Plaza
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

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